
Z-2560
TARBERT PROPERTIES, LLC
R1 & NB TO I3

STAFF REPORT
February 13, 2014

Z-2560
TARBERT PROPERTIES, LLC
R1 & NB TO I3

Staff Report
February 13, 2014

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of owner Frederick Shorter, is requesting the rezoning of 11.01 acres from R1 and NB to I3 for a proposed expansion project of MacAllister Machinery. The site is located in Dayton, north of Hine Drive and east of Yost Drive (extended). The site is commonly known as 6740 SR 38 East, Dayton, Sheffield 5 (SE) 22-3.

ZONING HISTORY AND AREA ZONING PATTERNS:

In 1996, 29 acres east of the I-65 interchange including petitioner's property were rezoned from R1 to GB and NB (Z-1654). Then in 2001, 4.377 acres surrounding MacAllister was rezoned from R1 and NB to GB for an expansion (Z-2048). The following year saw another rezone for all of MacAllister's landholdings from GB to I3 (Z-2070). Now MacAllister is expanding again with these 11 acres to its north and east, wrapping around the current facility.

AREA LAND USE PATTERNS:

MacAllister Machinery has a large building and an expansive graveled lot for storage of its large machinery. Farm fields surround the site to the north, east and west. South of the site are two fueling stations and a vacant car wash. Farther east, beyond a large berm, are single-family homes located in Deerfield Farms subdivision.

TRAFFIC AND TRANSPORTATION:

Access to the site would be through the existing curb cut for MacAllister on Hine Drive.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Sewer and water currently serve the business. The UZO requires all automobile parking, driveways and maneuvering aisles to be paved in the I3 zone. However, MacAllister Machinery has a significant portion of their current property in gravel. The Administrative Officer for Dayton made a determination that since the graveled area was for equipment storage only, it was allowed. Portions of this graveled area are covered with a dust suppression treatment to help mitigate particulate matter.

If this rezone is approved, a bufferyard will be required along the northern and eastern property lines. A Type C bufferyard, 20 feet in width with 4 standard plant units per 150', is required where I3 zoning abuts R1 zoning; a Type A bufferyard, 15 feet in width with 2 standard plant units per 150', is required where I3 zoning abuts NB zoning.

STAFF COMMENTS:

Petitioner is seeking a rezone for 11 acres to allow the expansion of their operations in Dayton. Over the years, MacAllister Machinery has grown and expanded to more than triple its original size. Both in 2001 and 2002, staff was not able to recommend in favor of rezoning to either GB or I3 for this location. Staff's recommendation is based on the ***Second Amendment to the Adopted Land Use Plan for Dayton and Vicinity*** adopted by the Dayton Town Board in November 1997. This plan calls for retail shopping on the east side of Yost Drive (extended) north of the proposed extension of Favorite Drive and south of the proposed extension of Clifty Falls Lane. The ***Plan*** specifically states that this area be developed "at a scale meant to serve the area's anticipated residential expansion." The changes that have happened since the adoption of the ***Plan*** in 1997, including the growth of petitioner's industrial business in this area, shows this plan is, in many ways, obsolete.

The question now is: how much industrial zoning should this area have when it was planned to serve nearby residents with appropriate scale retail shopping? Since the ***Plan's*** adoption, rezone requests have been the impetus for the development patterns, rather than the ***Plan*** itself. It is likely time to revisit the issue with the Town and create a new land use plan that better reflects how this area has developed and how the Town would like it to develop in the future.

STAFF RECOMMENDATION:

Staff is meeting with the Town and MacAllister Machinery officials this coming Friday the 14th. An addendum will be written and distributed (with a staff recommendation) following this meeting.